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and Dale Mayberry

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRS RECOVERY, Inc., a Virginia Corp.;
DALE MAYBERRY

Plaintiffs,

vs.

JOHN LAXTON, aka johnlaxton@gmail.com
NORTH BAY REAL ESTATE, INC., *et. al.*

Defendants.

Case No.: CV 06-07093 CW

STIPULATION RE WITHDRAWAL OF
COUNSEL FOR DEFENDANTS JOHN
LAXTON AND NORTHBAY REAL ESTATE
INC. UPON RELIEF BY CLIENT; ORDER
THEREON

Hon. Claudia Wilken

WHEREAS, on July 6, 2010, defendants JOHN LAXTON and NORTHBAY REAL ESTATE INC. notified the Court and counsel of record that they relieved their counsel HORNSTEIN LAW OFFICES, PROF. CORP., VAL D. HORNSTEIN and MICHAEL D. MORRIS ("Former Counsel") from further representation for any proceedings of any nature in this matter. See Item 1.C of the parties' July 6, 2010 Joint Supplemental Case Management Conference Statement, and Exhibit A

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thereto (Declaration of John Laxton), Dkt. 209. Mr. Laxton's Declaration (Dkt. 209-1) is attached as Exhibit A hereto.

WHEREAS, on July 13, 2010, Defendants, through Mr. Laxton re-stated their decision at the Supplemental Case Management Conference.

WHEREAS, on July 14, 2010, Former Counsel filed and served a Notice of Relief of Counsel by Client with the Court. Dkt. 210.

WHEREAS, on July 14, 2010, the Court requested a "...stipulation and proposed order for leave to withdraw as counsel." Dkt. 211.

ACCORDINGLY, IT IS HEREBY STIPULATED, by and among plaintiffs CRS RECOVERY, INC. and DALE MAYBERRY, by and through their counsel of record on the one hand, and Former Counsel and subject to the Courts' approval, that HORNSTEIN LAW OFFICES, PROF. CORP., VAL D. HORNSTEIN and MICHAEL D. MORRIS may withdraw and are hereby relieved as counsel of record for Defendants JOHN LAXTON and NORTHBAY REAL ESTATE INC.

This will have no material effect on the case schedule or case management.

Respectfully submitted,

DATED: July 16, 2010

HORNSTEIN LAW OFFICES, Prof. Corp.

By: s/Val D. Hornstein/s
VAL D. HORNSTEIN
Former Attorneys for Defendants John Laxton
and Northbay Real Estate, Inc.

DATED: July 16, 2010

KRIEG, KELLER, SLOAN, REILLEY ROMAN LLP

By: s/Michael Lisi/s
MICHAEL LISI
Attorneys for Plaintiffs CRS Recovery, Inc.
and Dale Mayberry

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1 I hereby attest that I have been authorized by counsel for Plaintiffs CRS Recovery Inc. and
2 Dale Mayberry to execute this Stipulation.

3 Executed on this 16th day of July, 2010, at San Francisco, California.

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5 HORNSTEIN LAW OFFICES, Prof. Corp.

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7 By: s/Val D. Hornstein/s
8 VAL D. HORNSTEIN
9

10
11 ORDER

12 Pursuant to the foregoing stipulation of the parties, it is ordered that HORNSTEIN LAW
13 OFFICES, PROF. CORP., VAL D. HORNSTEIN and MICHAEL D. MORRIS may withdraw and are
14 hereby relieved as counsel of record for Defendants JOHN LAXTON and NORTHBAY REAL
15 ESTATE INC., effective as of July 6, 2010
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17 PURSUANT TO STIPULATION, IT IS SO ORDERED,
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20 DATED: 7/21/2010
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23 HON. CLAUDIA WILKEN,
24 United States District Court Judge
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10 Attorneys for Defendants John Laxton
 11 and Northbay Real Estate, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

12 CRS RECOVERY, Inc., a Virginia Corp. and
 13 DALE MAYBERRY

Plaintiffs,

vs.

14 JOHN LAXTON, aka johnlaxton@gmail.com,
 15 NORTH BAY REAL ESTATE, INC., et. al.

Defendants.

Case No.: CV 06-07093 CW

DECLARATION OF JOHN LAXTON RE
SUPPLEMENTAL CASE MANAGEMENT
CONFERENCE STATEMENT

Date: July 13, 2010
 Time: 2:00 PM
 Courtroom: 2

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 18 1. I am defendant and president of defendant Northbay Real Estate Inc. ("NRE"). I
 19 have personal knowledge of the matters set forth in this declaration and could and would
 20 competently testify thereto.

21
 22 2. I have reached a decision to not proceed with my current counsel, HORNSTEIN
 23 LAW OFFICES, PROF. CORP. and VAL HORNSTEIN and MICHAEL D. MORRIS. Current counsel
 24 is agreeable to this. I authorize current counsel's withdrawal from further representation at this
 25 time.

26 3. I have not yet located replacement counsel. As such, I request a reasonable length of
 27 time to retain replacement counsel and I ask that further proceedings in this matter be stayed,
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1 pending my notification of my retention of replacement counsel.

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3 I declare under penalty of perjury that the foregoing is true and correct. Executed at
4 Windsor, CA on July 10, 2010.

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JOHN LAXTON

HORNSTEIN LAW OFFICES, Prof. Corp.